



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

To: Camille Cain, Executive Director  
Nate Jackson, Chief of Staff

Thru: Terri Dollar, Director of Monitoring and Inspection Division

From: Carla Bennett-Wells, PREA Coordinator

Subject: TJJD PREA Year in Review- CY 2017

Date: January 28, 2019

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This report has been prepared in accordance with §115.388 of the Prison Rape Elimination Act (PREA) to assess and improve the effectiveness of the Texas Juvenile Justice Department's sexual abuse prevention, detection, and response policies, practices, and training,

As of August 1, 2017, all facilities operated by the Texas Juvenile Justice Department have passed a Department of Justice (DOJ) PREA audit. The final PREA audit reports can be found on the TJJD website under the PREA heading.

The following tables include data the agency has collected to include all allegations of sexual abuse at state operated and contracted facilities for Calendar Year (CY) 2017. Additionally, the report includes comparison data from previous assessments for CY 2014, CY 2015 and CY 2016. Please note, the Department data was categorized based upon definitions outlined within §115.5 and §115.6 of the Prison Rape Elimination Act to include but not limited to the following definitions:

Substantiated allegation: an allegation that was investigated and determined to have occurred.

Unsubstantiated allegation: an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

Unfounded allegation: an allegation that was investigated and determined not to have occurred.

<b>YOUTH ON YOUTH NON-CONSENSUAL SEXUAL ACT</b>				
	CY 2014	CY 2015	CY 2016	<b>CY 2017</b>
TOTAL NUMBER OF ALLEGATIONS	30	30	1	<b>38</b>
Substantiated	3	2	0	<b>4</b>
Unsubstantiated	22	22	1	<b>21</b>
Unfounded	5	5	0	<b>11</b>
Open Investigations	0	0	0	<b>2</b>

<b>ABUSIVE SEXUAL CONTACT</b>				
	CY 2014	CY 2015	CY 2016	<b>CY 2017</b>
TOTAL NUMBER OF ALLEGATIONS	21	33	70	<b>77</b>
Substantiated	0	2	2	<b>3</b>
Unsubstantiated	20	23	23	<b>48</b>
Unfounded	1	8	14	<b>22</b>
Open Investigations	0	0	31	<b>4</b>

<b>YOUTH ON YOUTH SEXUAL HARASSMENT</b>				
	CY 2014	CY 2015	CY 2016	<b>CY 2017</b>
TOTAL NUMBER OF ALLEGATIONS	173	89	160	<b>119</b>
Substantiated	6	3	2	<b>2</b>
Unsubstantiated	160	68	87	<b>84</b>
Unfounded	7	6	21	<b>29</b>
Open Investigations	0	0	50	<b>4</b>

<b>STAFF SEXUAL MISCONDUCT</b>				
	CY 2014	CY 2015	CY 2016	<b>CY 2017</b>
TOTAL NUMBER OF ALLEGATIONS	39	43	67	<b>119</b>
Substantiated	0	0	2	<b>5</b>
Unsubstantiated	22	23	24	<b>57</b>
Unfounded	17	16	29	<b>55</b>
Open Investigations	0	0	12	<b>2</b>

STAFF SEXUAL HARASSMENT				
	CY 2014	CY 2015	CY 2016	CY 2017
TOTAL NUMBER OF ALLEGATIONS	1	19	69	72
Substantiated	0	0	1	0
Unsubstantiated	0	12	27	42
Unfounded	1	5	29	28
Open Investigations	0	0	12	2

To effectively prevent, detect and respond to all allegations of sexual abuse and sexual harassment, the facilities and the TJJD's PREA Compliance Department will:

#### Prevention Planning

- Utilize "Body-worn Cameras" for all juvenile correctional officers at each of the high restriction facilities for enhanced transparency and accountability in interactions between staff and youth
- Continue to utilize "safety plans" for vulnerable and/or predatory youth to enhance supervision and monitor behavior.
- Continue to conduct unannounced housing unit visits by the facility supervisors, managers, compliance officers and administrators on all shifts monthly.
- Continue to maintain limits to cross-gender supervision by ensuring same gender supervision during youth showers, clothing changes, and restroom routines when physical barriers are not in place to prevent the viewing of youth breast, buttocks, or genitalia.
- Continue to determine shower rotations based on the physical plant design and layout (i.e.; shower routine youth one at a time in group/community shower designs and two at a time in physical plant designs with individual showers.)
- Continue to assign youth seating in transportation van during campus transports as well as off campus outing transports.
- Continue to ensure that the "Zero Tolerance" and "Break the Silence" posters are displayed and visible throughout the facilities.
- Continue to ensure all deviations from a 1:8/1:16 staff to youth ratio are documented with appropriate justifications.
- Continue to ensure that the Juvenile Correctional Officers (JCO) maintain a direct line of sight supervision of the youth at all times during waking hours.
- Continue to ensure that each youth is in their appropriate assigned room at bedtime.

- A Youth Safety Manager position was added to each of the agency's secure facilities. This position is a managerial level position that once in place will act as the facility's

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PREA Manager. The Youth Safety Officer will coordinate PREA compliance efforts and activities, and act as the facility's PREA Manager. The Youth Safety Officer will provide guidance and training to program staff throughout the facility in determining trends and resolving technical problems regarding various compliance issues relating to PREA

- Continue to ensure "face to name headcounts" are being conducted consistently during every major movement and in accordance with agency policy.
- Continue the practice of conducting Criminal Records Check and Child Abuse Registry checks on new employees, volunteers and contractors annually.
- Continue to ensure staff of the opposite gender announce their presence when entering a dorm or sleeping area of a youth of the opposite gender.
- Continue to utilize surveillance video (live and archival) to conduct supervisory reviews weekly and document these reviews.
- Continue to seek potential resources to install additional cameras in facilities where "blind spots" have been identified
- Complete additional lighting installation outside facilities and halfway houses as identified through the Vulnerability Assessment Report (RMT 151).

### **Training and Education**

- Ongoing training provided by the agency's PREA Coordinator to Youth Safety Officers / PREA Compliance Managers to ensure effective facilitation of all PREA related procedures and protocols throughout our TJJD facilities.
- Coordinate with the Juvenile Justice Training Academy to ensure that the required PREA annual training is updated to provide relevant information to help staff, volunteers and contractors promote a sexually safe environment within our facilities
- Continue to provide comprehensive PREA education to TJJD youth by ensuring that all youth view the "Safeguarding your Sexual Safety" DVD, are provided with the PREA Script and adequately instructed on how to report any sexual abuse, sexual harassment and sexual misconduct allegations via the hotline; telling a trusted adult, staff, volunteer, parent, or third party; writing a grievance; and contacting the Office of the Independent Ombudsman (OIO)
- Ensure that all youth are afforded the same opportunities to benefit from the agency's reporting mechanisms by compensating for youth with cognitive and physical abilities as well as those that are limited English proficient (LEP).
- Ensure that staff and youth are educated regarding resources available through the local rape crisis centers for victims of sexual abuse

- Continue to utilize town hall and staff meetings for regular discussions on PREA-related topics.
- Ensure that all medical and mental health specialists complete required PREA specialized training every 3 years.

### **Screening for Risk of Sexual Victimization and Abusiveness**

- Complete and implement the Safe Housing Assessment revisions to improve the identification of vulnerable populations.
- Continue to ensure the utilization of the Safe Housing Assessment on each youth upon Intake and Orientation taking into account their age, stature, history, LGBT status, etc. for determining suitable facility placement.
- Continue to ensure that the Safe Housing Re-assessments are completed in compliance with agency policy.
- Continue to conduct quarterly and annual Facility Vulnerability Assessments and implement recommendations and corrective actions.

### **Official Response Following a Resident Report**

- Continue to monitor for ninety days after an allegation alleged youth victims and reporters (staff/ youth) of sexual abuse or sexual harassment in order to deter any adverse and disparate treatment of those individuals and protect them from retaliation.
- Continue to increase youth's willingness to report abuse by supporting a positive reporting environment with multiple internal and external reporting methods and prompts, including conducting thorough investigations.
- Continue to conduct Sexual Abuse Review Boards (SARB) on all unsubstantiated and substantiated incidences of sexual abuse and sexual harassment, and ensure that all recommendations to prevent these incidents are provided to facility and agency leadership.
- Continue to report and investigate all allegations of sexual abuse and sexual harassment.

### **Medical and Mental Care**

- Continue to provide medical and mental health follow up services within 14 days of intake to those youth who report a prior sexual abuse that may have occurred in another facility or in a community setting.

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- Continue to ensure that all victims of sexual abuse are offered and/or provided trauma-counseling services by the facility's mental health professionals as well as through an outside local Rape Crisis Center or Advocacy agency.
- Ensure that victims of sexual abuse are provided with appropriate medical treatment, testing, and resources as needed

As described, the PREA Compliance Department is committed to a culture that protects the youth we serve, and continues to invest resources to educate our youth, select and train our staff, improve our procedures, and upgrade our physical plants to support the prevention, detection, reporting and investigating of all forms of sexual abuse and sexual harassment.